

Kenneth H. Brown (CA State Bar No. 100396)
Cia Mackle (FL State Bar. No. 26471)
PACHULSKI STANG ZIEHL & JONES LLP
150 California Street, 15th Floor
San Francisco, CA 94111
Phone: (415) 263-7000
Fax: (415) 263-7010
Email: kbrown@pszjlaw.com

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Chuck C. Choi
Allison A. Ito
CHOI & ITO, Attorneys at Law
700 Bishop Street, Suite 1107
Honolulu, HI 96813
Phone: (808) 533-1877
Fax: (808) 566-6900
Email: cchoi@hibklaw.com

Attorneys for TrashMasters, LLC; Corridor Capital, LLC; Corridor Capital
Advisors, LLC; Corridor TrashMasters, L.P.; SPB Management, LLC; SPB Waste,
LLC; SPB Capital GP, LLC; SPB Capital Partners, L.P.; SPB Partners, LLC; Craig
Enenstein; L. Geoffrey Greulich; Edward A. Monnier; Jessamyn Davis; Ari D.
Bass; Scott R. Bulloch; Kenneth M. Pressberg

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF HAWAII

In re:

ROLLOFFS HAWAII, LLC,

Debtor.

No. 16-01294
(Chapter 7)

DANE S. FIELD, Chapter 7 Trustee for the
Estate of Rolloffs Hawaii, LLC

Plaintiff,

v.

TRASHMASTERS, LLC; CORRIDOR
CAPITAL LLC; CORRIDOR CAPITAL
ADVISORS, LLC; CORRIDOR
TRASHMASTERS, L.P.; SPB
MANAGEMENT, LLC; SPB WASTE,
LLC; SPB CAPITAL GP, LLC; SPB
CAPITAL PARTNERS, L.P.; SPB
PARTNERS, LLC; CRAIG ENENSTEIN;
L. GEOFFREY GREULICH; EDWARD A.
MONNIER; JESSAMYN DAVIS; ARI D.
BASS; SCOTT R. BULLOCH; KENNETH
M. PRESSBERG; KRISTIAN GOURLAY;
DOUGLAS L. ASAY; DOUGLAS D.
ASAY; CHARLES E. LEONARD; BRIAN
COLBECK; ROLLOFFS HAWAII, INC.;
THE KNG GROUP, LLC; COLBECK
CONSULTING LLC; JOHN DOES 1-50;
JANE DOES 1-50; DOE CORPORATIONS
1-50; DOE PARTNERSHIPS 1-50; DOE
ENTITIES 1-50,

Defendants.

Adv. Pro. No. 18-90035

SCHEDULING CONFERENCE

Date: June 7, 2019

Time: 10:00 a.m.

Judge: Hon. Robert J. Faris

SCHEDULING CONFERENCE STATEMENT

Defendants TrashMasters, LLC; Corridor Capital, LLC; Corridor Capital
Advisors, LLC; Corridor TrashMasters, L.P.; SPB Management, LLC; SPB Waste,
LLC; SPB Capital GP, LLC; SPB Capital Partners, L.P.; SPB Partners, LLC; Craig
Enenstein; L. Geoffrey Greulich; Edward A. Monnier; Jessamyn Davis; Ari D.

Bass; Scott R. Bulloch and Kenneth M. Pressberg (collectively, “TM/Corridor/SPB Defendants”), by and through their undersigned counsel, and pursuant to Rule 7016-1 of the Local Bankruptcy Rules for the District of Hawaii (“LBR”), Rule 16.1 of the Local Rules of Practice for the United States District Court for the District of Hawaii (“LR”), and Rule 16 of the Federal Rules of Civil Procedure (as made applicable by Rule 7016 of the Federal Rules of Bankruptcy Procedure), submit the following Scheduling Conference Statement:

I. SHORT STATEMENT OF NATURE OF CASE

This suit arises out of the failure of Rolloffs Hawaii, LLC (the “Debtor”), which operated a waste collection and disposal business in Hawaii from May 2009 until it was sold in 2017. Plaintiff Trustee filed the instant action seeking to hold the Debtor’s equity holder, advisors, and former officers and purported directors of the Debtor along with members of the Debtor’s parent company, entities affiliated with them, and their management personally liable.

On December 7, 2018, the Trustee filed a 126-page complaint (the “Complaint”) alleging *sixty-one* causes of actions against (one or more of the *twenty-four* named defendants, including 51 counts based on alleged fraudulent transfers to avoid and recover five separate categories of payments, along with 10 additional counts based on conspiracy to commit fraudulent transfers; breach of fiduciary duties; conspiracy to breach fiduciary duties, aiding and abetting breach

of fiduciary duties, alter ego, and unjust enrichment. *See* dkt. #1.

On February 15, 2019, the TM/Corridor/SPB Defendants filed a *Motion to Dismiss Complaint* (“Motion to Dismiss”) seeking to dismiss all causes of action asserted against them. *See* dkt. #19. On March 19, 2019, the Plaintiff filed an opposition (“Opposition”) to the Motion to Dismiss. *See* dkt. #30. On April 5, 2019, the TM/Corridor/SPB Defendants filed a reply to the Opposition. *See* dkt. #37. On April 12, 2019, the Court held a hearing on the Motion to Dismiss and took the matter under advisement. *See* dkt. #45.

II. STATEMENT OF JURISDICTION & VENUE

On December 9, 2016 (the “Petition Date”), the Debtor filed a petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Hawaii (the “Court”).

On January 17, 2017, Plaintiff was appointed as the Chapter 11 Trustee of the Debtor’s estate, and after consummating the sale, Plaintiff requested conversion of the Debtor’s case to one under Chapter 7 of the Bankruptcy Code.

This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. § 157 and 28 U.S.C. § 1334. Venue is proper in this District pursuant to 28 U.S.C. § 1409.

III. JURY TRIAL

The fraudulent transfer claims asserted in the Complaint are core claims and the remaining claims are non-core. No jury demand has been made by the TM/Corridor/SPB Defendants because their answer is not yet due. The TM/Corridor/SPB Defendants reserve their right to demand a jury trial.

IV. INITIAL DISCLOSURES

Pursuant to that certain *Stipulated Order Respecting: (1) Hearing Date and Briefing Schedule for the Trashmasters/Corridor/SPB Defendants' Motion to Dismiss, (2) Stay on Discovery, and (3) Trial Date* ("Stipulated Order"), all discovery (including initial disclosures), the FRCP 26(f) conference of the parties, the Scheduling Conference, and subpoenas to the investors of the TM/Corridor/SPB Defendants are currently stayed until the pleadings in the case are "deemed final." See dkt. #18, at 4 ("The pleadings in the case shall be deemed final when the Court has determined, by written order, all motions to dismiss, including, as the case may be, any motion to dismiss which may arise as a result of the Plaintiff re-pleading and/or amending the complaint"). *Id.*

Further not all named defendants have filed a responsive pleading to the Complaint.

V. STATUS OF DISCOVERY AND MOTIONS

See Section IV.

VI. SPECIAL PROCEDURES

No special procedures required at this time.

VII. RELATED CASES

1. The Debtor's main Bankruptcy Case No. 16-01294.
2. Adv. Pro. No. 18-90034.

VIII. ADDITIONAL MATTERS

There do not appear to be any settlement prospects at this time. The outcome of the Motion to Dismiss may have an impact on settlement prospects.

DATED: Honolulu, Hawaii, June 3, 2019

/s/ Allison A. Ito

Kenneth H. Brown
Cia Mackle
Chuck C. Choi
Allison A. Ito

Attorneys for TrashMasters, LLC, Corridor Capital, LLC, Corridor Capital Advisors, LLC, Corridor TrashMasters, L.P., SPB Management, LLC, SPB Waste, LLC, SPB Capital GP, LLC, SPB Capital Partners, L.P., SPB Partners, LLC, Craig Enenstein, L. Geoffrey Greulich, Edward A. Monnier, Jessamyn Davis, Ari D. Bass, Scott R. Bulloch, and Kenneth M. Pressberg